



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

100-100000 10/1/80 100-100000

100-100000

100-100000 10/1/80
WILLIAM ROBERT GILSON & 10000
P.O. BOX 10000
CHICAGO IL 60600

EXAMINER

100-100000

ART UNIT

PAPER NUMBER

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/097,186

Applicant(s)

EKSTROM ET AL.

Examiner

Hector A. Agdeppa

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to applicant's amendment filed on 4/25/01. Claims 1 - 22 are now pending in the present application. **This action is made final.**

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1 – 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crockett.

Regarding claims 1 – 10, and 15 – 20, Crockett teaches a rules-based call routing system and method whereby a switch may send routing queries to, and receive replies back from a call routing processor for selecting one of a plurality of call centers

Art Unit: 2642

to be connected therewith, the call centers providing various services and/or functions well known in the art. Furthermore, Crockett teaches the use of call center status data sent to the call routing processor to affect call routing, wherein if status data is not available, using predetermined rules or preferences to route individual calls. Crockett also teaches the use of routing plans, planning data, and rules, all read as the claimed "routing scripts" and "service logic" of the claimed invention. Further taught by Crockett is obtaining calling numbers, called numbers, caller-entered digits, etc.

Inherent in the invention of Crockett is at least one intelligent peripheral for playing some sort of announcement to a caller and also for collecting the caller-entered digits and passing the digits to the call routing processor to affect call routing. Also, the switch comprising an AIN network is inherent in that any network allowing automatic reaction to changing conditions, whether customer-initiated or otherwise, is an advanced intelligent network as described by Crockett. Also inherent in any AIN is the use of SCPs. At the least, AIN networks would be obvious to use by one skilled in the art in that Crockett teaches using standard, well known switching networks, of which AIN is one. (Fig. 1, Col. 2, lines 37 – 41, Col. 5, line 1 – Col. 6, line 53, Col. 8, line 24 – Col. 9, line 21, and Col. 14, lines 5 – 60)

What is not taught by Crockett is the switch being an LEC. Crockett's invention specifically mentions the switch being an IXC for handling 800 calls. However, being that Crockett teaches a plurality of switches and call centers located in geographically distant locations, it would be obvious to one skilled in the art to have also allowed the invention of Crockett to interact with an LEC inasmuch as it is well known in the art for

Art Unit: 2642

companies providing 800/toll-free call center services to also accept local, caller-paid calls, and in some instances even require that locally located customers call the call center using a local number in order to avoid paying for unnecessary 800/toll-free call charges.

Also not explicitly taught by Crockett, is the intelligent peripheral being in communication with the switch via a data and voice/information channel.

However, this could be inherent and at the very least, this is well known in the art and would only be an obvious design choice to one skilled in the art.

Regarding claims 11 – 13, Crockett also fails to teach blocking caller ID information.

However, the feature and method of blocking caller ID is well known in the art and would have been an obvious feature to include in the invention of Crockett to one skilled in the art.

Regarding claims 21 and 22, Crockett considers call queues, busy agents, and subsequent, alternate routing and load distribution. (Col. 8, lines 24 – 53)

It would have been obvious to one skilled in the art to do the same for a no answer condition in that both situations result in a call not being answered and furthermore, because providing alternate routing for a no answer condition is well known in the art.

Regarding claim 14, inasmuch as Crockett teaches receiving and routing calls on a call-by-call basis to connect a caller to the best possible service agent, for example, or in a way the best serves the needs of the caller, it would have been obvious to one

skilled in the art to have included the feature of identifying the type of originating station. Furthermore, Crockett teaches gathering information regarding a caller and if for example the calling number alone might indicate that it is a mobile telephone as opposed to a land line telephone, and then again, it is obvious that an agent knowledgeable in mobile telephony would be the desired contact for the caller.

Response to Arguments

3. Applicant's arguments with respect to claims 1 - 22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2642

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hector A. Agdeppa whose telephone number is 703-305-1844. The examiner can normally be reached on Mon thru Fri 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on 703-305-4731. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-5858 for regular communications and 703-308-5403 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

H.A.A.
July 11, 2001



**AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**